



*"To enrich lives through effective and caring service"*



**Stan Wisniewski**  
Director

**Kerry Silverstrom**  
Chief Deputy

December 11, 2006

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**ADOPTION OF RESOLUTIONS ACCEPTING GRANT FUNDS FROM THE  
CALIFORNIA STATE WATER RESOURCES CONTROL BOARD FOR SEPTIC  
SYSTEM IMPROVEMENTS AT MALIBU SURFRIDER AND TOPANGA BEACHES  
UNDER PHASE 2 OF THE CLEAN BEACHES INITIATIVE GRANT PROGRAM  
(PROPOSITION 40)  
(3<sup>rd</sup> DISTRICT)  
(4 VOTES)**

**JOINT RECOMMENDATION WITH THE CHIEF ADMINISTRATIVE OFFICER THAT  
YOUR BOARD:**

1. Find that this action is exempt from the provisions of the California Environmental Quality Act.
2. Adopt the attached Resolutions (Attachment I and Attachment II) authorizing the acceptance of grants totaling \$214,000 from the California State Water Resources Control Board (SWRCB) for septic system improvements at Malibu Surfrider (CP No. 86791) and Topanga Beaches (CP No. 86903), under Phase 2 of the Clean Beaches Initiative (CBI) Grant Program (Prop. 40).
3. Approve the attached appropriations adjustment (Attachment III) in the amount of \$214,000 to increase the appropriation and revenue in the FY 2006-07 Capital Projects/Refurbishment Budget (CP No. 86791 and CP No. 86903) to account for the grant funds.

4. Authorize the Director of the Department of Beaches and Harbors to sign all necessary documents to obtain the grants and to accept the grants for the purpose of funding the septic system improvement projects and to act as lead agent for the County when conducting business with the SWRCB on any and all matters related to the grants, including committing to the project implementation schedules reflected in the grant applications, subject to prior approval of the grant documents by County Counsel.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommendations will allow the Department to accept the State grants to partially fund the replacement of septic systems at Malibu Surfrider and Topanga Beaches. The septic systems continue to fail due to age and heavy usage.

Several sources have linked septic systems to poor beach water quality. In a 1999-2000 Grand Jury Final Report, it was reported to your Board that malfunctioning septic systems might be a pollutant source for our beaches. A 2003-2004 report prepared by the Resource Conservation District of the Santa Monica Mountains indicated that septic systems and greywater systems are indeed contributors to bacterial contamination at Topanga Beach. In addition, Heal the Bay, a non-profit environmental group, has reported extremely poor beach water quality (F ratings) on several occasions at both Topanga and Malibu Surfrider Beaches.

In response to these reports, and at the instruction of your Board on November 1, 2005, the Department of Beaches and Harbors has been working with the Department of Public Works (DPW) to assess the situation and take corrective action. The proposed corrective action at Malibu Surfrider Beach is to replace the existing septic system utilizing the Board approved DPW Job Order Contract Program. Topanga Beach is currently under study for compliance with water quality standards, and we will return to your Board with a recommended corrective action upon completion of the study.

The Department applied for and received approval from the SWRCB for two grants in the amount of \$107,000 each, for a total of \$214,000, under the Clean Beaches Initiative (CBI) Grant Program to assist in replacing the septic systems at Malibu Surfrider and Topanga Beaches.

### **Implementation of Strategic Plan Goals**

The acceptance of these grants, totaling \$214,000, to assist with the replacement of these two septic systems supports the County's Strategic Plan Goals 7 and 8, investing in the public infrastructure to address Health and Public Safety issues.

### **FISCAL IMPACT/FINANCING**

The project cost for replacement of the septic system at Malibu Surfrider will be determined upon receipt of bids, whereas the project cost at Topanga will be determined upon completion of the compliance study. The attached appropriation adjustment reflects the acceptance of the grant funds. We will return to your Board with project scope and funding recommendations prior to project initiation.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The SWRCB must encumber all funds under the Proposition 40, Phase 2, (CBI) Grant Program by December 31, 2006.

In order to obtain the awarded CBI grant funds, your Board must execute the attached Resolutions. All documents required for acceptance of the requested grants and authorized by the requested Resolutions will be subject to prior approval by County Counsel. County Counsel has reviewed and approved the attached Resolutions as to form.

Under the County's Civic Art Policy and Procedures approved by your Board on December 7, 2004, these refurbishment projects are exempt from providing and/or financing civic art because the total project costs are less than \$500,000.

### **ENVIRONMENTAL DOCUMENTATION**

This action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15302, 15303 and 15304 of Title 14 of the California Code of Regulations, and pursuant to Classes 2, 3 and 4 of the County's Environmental Document Reporting Procedures and Guidelines, adopted by your Board on November 17, 1987.

The Honorable Board of Supervisors  
December 11, 2006  
Page 4

### **CONTRACTING PROCESS**

The proposed projects will be implemented through the Board approved DPW Job Order Contract Program.

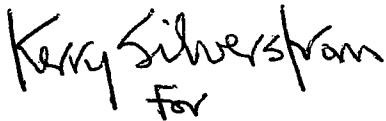
### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The adoption of the Resolutions and acceptance of the grants will have no negative effect on the Department's current projects.

### **CONCLUSION**

Authorize the Executive Officer of the Board to send one conformed copy to the Chief Administrative Office – Capital Projects Division and four conformed copies of the Resolutions to the Department of Beaches and Harbors, along with three approved copies of this letter.

Respectfully submitted,

Handwritten signature of Kerry Silverstrom in black ink, with the word "for" written below it.

STAN WISNIEWSKI  
Director

Handwritten signature of David E. Janssen in black ink.

DAVID E. JANSSEN  
Chief Administrative Officer

SW:ED:LMN

Attachments: (3)

- c. Chief Administrative Officer  
County Counsel

**RESOLUTION OF THE LOS ANGELES COUNTY BOARD OF SUPERVISORS  
ACCEPTING A GRANT IN THE AMOUNT OF \$107,000 FROM THE STATE WATER  
RESOURCES CONTROL BOARD (SWRCB)**

WHEREAS, Malibu Surfrider Beach is a popular recreation and swimming area located in the city of Malibu and is operated by the County of Los Angeles;

WHEREAS, the aging septic system at the beach restroom facility failed beyond repair this past summer, resulting in restroom closure for 18 days and daily system pump-out, thereafter, to keep the public restroom open until replacement;

WHEREAS, the beach has experienced frequent poor water quality advisories and continues to receive poor water quality ratings on Heal the Bay's annual Beach Report Card due to contaminants from various sources;

WHEREAS, the County of Los Angeles is committed to monitoring and improving beach water quality;

WHEREAS, a grant application was submitted to the SWRCB to obtain the maximum 25% funding assistance available from the Clean Beaches Initiative (CBI) Grant Program to replace the septic system at Malibu Surfrider Beach;

WHEREAS, the Department of Beaches and Harbors (Department) has been awarded the subject grant and, in order to secure reimbursement of funds spent for work covered by the grant, the SWRCB requires the Department to designate a representative to negotiate and execute the grant contract and any amendments, and to certify grant invoices on behalf of the Department; and

WHEREAS, the CBI Grant Program, administered by the SWRCB, provides grants to local agencies, non-profit organizations, and public agencies to help them implement projects that protect and restore California's coastal water quality.

NOW, THEREFORE, BE IT RESOLVED that the Los Angeles County Board of Supervisors accepts the CBI grant award of \$107,000 to fund the septic system improvement project at Malibu Surfrider Beach for the Department.

BE IT FURTHER RESOLVED that the Director of the Department is authorized to sign all necessary documents to accept the grant for the purpose of funding the septic system improvement project and to act as lead agent for the County of Los Angeles when conducting business with the SWRCB on any and all matters related to the grant, including committing to the project implementation schedule reflected in the grant application.

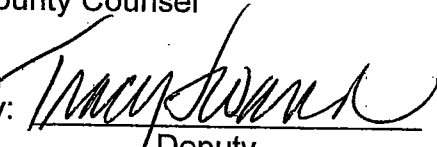
The foregoing Resolution was adopted on the \_\_\_\_\_ day of \_\_\_\_\_ 2006,  
adopted by the Board of Supervisors of the County of Los Angeles and ex officio the  
governing body of all other special assessment and taxing districts, agencies and the  
authorities for which said Board so acts.

Sachi A. Hamai  
Executive Officer-Clerk  
of the Board of Supervisors

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.  
County Counsel

By:   
Deputy

**RESOLUTION OF THE LOS ANGELES COUNTY BOARD OF SUPERVISORS  
ACCEPTING A GRANT IN THE AMOUNT OF \$107,000 FROM THE STATE WATER  
RESOURCES CONTROL BOARD (SWRCB)**

WHEREAS, Topanga Beach is a popular recreation and swimming area located in the unincorporated area of the County and is operated by the County of Los Angeles;

WHEREAS, the aging septic system at the beach restroom facility failed twice within the last 16 months, resulting in closure to the public;

WHEREAS, the beach has experienced frequent poor water quality advisories and continues to receive poor water quality ratings on Heal the Bay's annual Beach Report Card due to contaminants from various sources;

WHEREAS, the County of Los Angeles is committed to monitoring and improving beach water quality;

WHEREAS, a grant application was submitted to the SWRCB to obtain the maximum 25% funding assistance available from the Clean Beaches Initiative (CBI) Grant Program to replace the septic system at Topanga Beach;

WHEREAS, the Department of Beaches and Harbors (Department) has been awarded the subject grant and, in order to secure reimbursement of funds spent for work covered by the grant, the SWRCB requires the Department to designate a representative to negotiate and execute the grant contract and any amendments, and to certify grant invoices on behalf of the Department; and

WHEREAS, the CBI Grant Program, administered by the SWRCB, provides grants to local agencies, non-profit organizations, and public agencies to help them implement projects that protect and restore California's coastal water quality.

NOW, THEREFORE, BE IT RESOLVED that the Los Angeles County Board of Supervisors accepts the CBI grant award of \$107,000 to fund the septic system improvement project at Topanga Beach for the Department.

BE IT FURTHER RESOLVED that the Director of the Department is authorized to sign all necessary documents to accept the grant for the purpose of funding the septic system improvement project and to act as lead agent for the County of Los Angeles when conducting business with the SWRCB on any and all matters related to the grant, including committing to the project implementation schedule reflected in the grant application.

The foregoing Resolution was adopted on the \_\_\_\_\_ day of \_\_\_\_\_ 2006, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and the authorities for which said Board so acts.

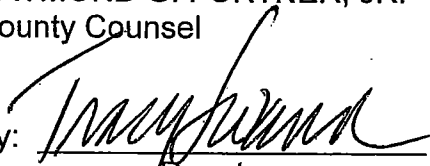
Sachi A. Hamai  
Executive Officer-Clerk  
of the Board of Supervisors

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.  
County Counsel

By: \_\_\_\_\_

  
Deputy



COUNTY OF LOS ANGELES  
REQUEST FOR APPROPRIATION ADJUSTMENTDEPT'S.  
No. 055

DEPARTMENT OF BEACHES AND HARBORS

12-05-06 19

## AUDITOR-CONTROLLER.

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. WILL YOU PLEASE REPORT AS TO ACCOUNTING AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF ADMINISTRATIVE OFFICER FOR HIS RECOMMENDATION OR ACTION.

## ADJUSTMENT REQUESTED AND REASONS THEREFOR

4 - VOTE

## SOURCES:

See Attached

## USES:

See Attached

JUSTIFICATION:

To increase appropriation and revenue for Septic System improvements at Malibu Surfrider and Topanga Beaches under Phase 2 of the Clean Beaches Initiative Grant Program.

Adrian Zarate Sec ✓

CHIEF ADMINISTRATIVE OFFICER'S REPORT

REFERRED TO THE CHIEF  
ADMINISTRATIVE OFFICER FOR—

ACTION

RECOMMENDATION

APPROVED AS REQUESTED

AS REVISED

Dec 11, 2006 19

CHIEF ADMINISTRATIVE OFFICER

APPROVED (AS REVISED):  
BOARD OF SUPERVISORS

19

BY

DEPUTY COUNTY CLERK

AUDITOR-CONTROLLER

BY

Barbara Hansen

No. 087

Dec 11, 2006 19

SEND 5 COPIES TO THE AUDITOR-CONTROLLER

**ATTACHMENT III**

**SEPTIC SYSTEM IMPROVEMENTS AT  
MALIBU SURFRIDER AND TOPANGA BEACHES  
UNDER PHASE 2 OF THE CLEAN BEACHES  
INITIATIVE GRANT PROGRAM**

**APPROPRATION ADJUSTMENT  
FY 2006-07**

**SOURCES:**

Dept. of Beaches and Harbors  
Septic System Improvements  
Malibu Surfrider Beach  
State-Proposition 40/CP  
A01-CP-86791-88-882B  
\$107,000

Dept. of Beaches and Harbors  
Septic System Improvements  
Topanga Beach  
State-Proposition 40/CP  
A01-CP-86903-88-882B  
\$107,000

**USES:**

Dept. of Beaches and Harbors  
Septic System Improvements  
Malibu Surfrider Beach  
Fixed Assets – B&I  
A01-CP-86791-6014  
\$107,000

Dept. of Beaches and Harbors  
Septic System Improvements  
Topanga Beach  
Fixed Assets – B&I  
A01-CP-86903-6014  
\$107,000